

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL JOSEPH YOUNG,

Plaintiff,

v.

JEFF LYNCH, et al.,

Defendants.

No. 2:22-cv-0487 KJM DB P

ORDER

Plaintiff is a state prisoner proceeding pro se with this civil rights action pursuant to 42 U.S.C. § 1983. In an order filed July 6, 2022, this court found service of the first amended complaint appropriate for plaintiff's Eighth Amendment claims against defendants Giardino, Sotelo, and Bell for excessive force; an Eighth Amendment medical claim against Giardino; and First Amendment retaliation claims against Giardino, Sotelo, and Bell. (ECF No. 10.) Plaintiff was given the option of proceeding on the claims found cognizable or amending her complaint to attempt to state additional claims. Plaintiff has notified the court that she wishes to proceed on the claims found cognizable in the July 6, 2022 order. Plaintiff also states that she understands that by proceeding with these claims, she is voluntarily dismissing all other claims in the first amended complaint.¹ (ECF No. 18.)

¹ By separate order, this court orders service of the first amended complaint on defendants Giardino, Sotelo, and Bell.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff has elected to voluntarily dismiss all claims in the first amended complaint except the following: (a) the Eighth Amendment claims against defendants Giardino, Sotelo, and Bell for excessive force; (b) an Eighth Amendment medical claim against Giardino; and (c) the First Amendment retaliation claims against Giardino, Sotelo, and Bell.

2. Plaintiff has elected to voluntarily dismiss defendants Lynch and Doe from this action.

3. The Clerk of the Court is directed to amend the docket to reflect that defendants Lynch and Doe have been dismissed.

Dated: July 17, 2023


DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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